

July 15, 1974

Mr. R. E. McCloskey  
Sun Pipe Line Company  
907 South Detroit Avenue  
Tulsa, OK 74120

Dear Mr. McCloskey:

This responds to your letter of May 29, 1974, concerning a 30-inch crude oil pipeline. Prior to distribution to construction areas, 38-foot lengths of pipe will be joined by girth welds at six separate locations. Each weld will be x-rayed 100 percent. You state that the company does not "[P]lan to retain all doublejointing radiographic film for three years after the system is in operation, since it will not be practicable to identify the inline location of the double joint welds." You then request that, if this plan would not comply with the regulations, we waive applicable requirements and permit the company to retain a radiographer's certificate of testing in lieu of the film. As justification for the request, you suggest that the welding procedure is really an extension of the manufacturing process and that no useful purpose would be served by retention of the film.

This request for waiver has been assigned Docket No. Pet. 74-7W. Please refer to the docket number in any future communication.

Nondestructive testing of welds and retention of testing records for the pipeline to which you refer are governed by 49 CFR 195.234. This rule provides in paragraph (g):

"A record of the nondestructive testing must be retained by the carrier who is involved, including (if radiography is used) the developed film with, so far as practicable, the location of the weld. This record must be retained for 3 years after the line is placed in operation."

The rule applies to the welding procedure you describe since the welding would be performed by the company as part of its process of constructing a pipeline (49 CFR 195.200 and 195.234(d) (e)). The welding would not be a step in the process of manufacturing the pipe since presumably the company will have purchased and accepted delivery of the pipe from the manufacturer or retailer when the welding is performed. Thus, under 49 CFR 195.234(g), if the company nondestructively tests the welded joints by x-ray, it must retain the developed film with, so far as practicable, the location of the weld in a record of each test performed to meet

the requirements of section 195.234. Retention of a welder's certificate instead of the film would not comply with the requirement.

We do not believe you have stated sufficient grounds upon which the requirement to retain radiographic film may be waived; and, accordingly, your request is denied. As one reason for not keeping the film, you declare that it will not be practicable to identify the inline location of the welds. The rule provides for this situation in that each record must include the film with "so far as practicable, the location of the weld." The impracticability of recording the location of a weld does not exclude the requirement to retain the film as part of the record.

Further, you state that retention of the film would serve no useful purpose. Retention of x-ray film is of value for purposes of investigating accidents or compliance with the requirement of testing welds. Furthermore, this criticism goes to the merits of the rule which were fully considered by the Department and the public before the rule was published in final form. The current usefulness of the requirement is more a matter for general consideration than a basis upon which special relief should be granted.

Nevertheless, we realize the record-retention requirement in section 195.234(g) for liquid lines is more restrictive than a similar requirement for gas lines in 49 CFR 192.243(f). We, therefore, are considering your letter as a petition for rule making to amend the radiographic film identification and retention requirements of section 195.234(g). A notice of proposed rule making will be prepared and published for public comment on your proposed revision of section 195.234(g). Until the proposed revision is adopted, your company must comply with the existing requirements.

It is important to note that under section 195.234(d) only 10 percent of the girth welds made by each welder each day must be nondestructively tested. The testing of 100 percent of the welds is required only in the locations specified by section 195.234(e). The record-retention and identification burden presented by section 195.234(g) is limited to tests made in satisfaction of these requirements, and may not apply to every test made in joining the 38-foot lengths of pipe.

We appreciate your concern for pipeline safety.

Sincerely,

Joseph C. Caldwell  
Director  
Office of Pipeline Safety